

REMARKS

This Application has been carefully reviewed in light of the Office Action. Applicants appreciate the Examiner's consideration of the Application. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejections

The Examiner rejects under 35 U.S.C. § 103(a): Claims 1-5, 8-12, 15-20, 23, 25, 33-36, 39, 40, and 41 as being unpatentable over U.S. Patent Application Pub. No. 2002/0114293 to Madour et al. ("*Madour I*") in view of U.S. Patent Application Pub. No. 2003/0099219 to Abrol et al. ("*Abrol*"); Claims 6, 7, 13, 14, 21, 22, 26-32, 37, and 38 as being unpatentable over *Madour I* in view of *Abrol* and further in view of U.S. Patent No. 6,876,640 to Bertrand et al. ("*Bertrand*"); and Claim 24 as being unpatentable over *Madour I* in view of *Abrol* and further in view of U.S. Patent No. 6,834,050 to Madour et al. ("*Madour II*"). Applicants respectfully traverse these rejections for the reasons discussed below.

Applicants respectfully submit that the combinations proposed by the Examiner fail to disclose, teach, or suggest the elements specifically recited in Applicants' claims. For example, the *Madour I* - *Abrol* combination proposed by the Examiner fails to disclose, teach, or suggest the following elements recited in independent Claim 1:

determining, at the packet data serving node, whether the registration request comprises a previous access network identifier identifying a previous packet controller function;

determining, at the packet data serving node, whether the mobile node is serviced by a mobile Internet Protocol;

determining, at the packet data serving node, whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node; and

deciding, at the packet data serving node, whether to negotiate a point-to-point session for the mobile node in response to the determinations.

The Examiner relies on the passage at Para. 10 of *Abrol* to disclose “determining whether the registration request comprises a previous access network identifier identifying a previous packet controller function . . . ; determining whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node; and deciding whether to negotiate a point-to-point session for the mobile node in response to the determinations. (Office Action, Page 3, Para. 6.)

This passage, however, fails to disclose that each of these operations is performed at the packet data serving node:

In CDMA2000 Release A systems, a mobile station sends wireless IDs of the previous PCF in the EOM. Such systems can determine whether the mobile emerging from dormancy mode had ventured into another PDSN service area during the period of dormancy. If the new PCF is the same as the previous PCF, then the traffic channel is not brought up. Otherwise, the traffic channel is brought up, PPP resynchronizes, and mobile IP re-registers. However, the EOM in CDMA2000 Release 0 systems does not provide for sending of the wireless IDs of the previous PCF. As such, CDMA2000 Release 0 systems cannot identify and handle zombie PPP instances.

(*Abrol*, Para. 10.) Furthermore, *Abrol* expressly discloses that each of these operations is performed *at the mobile node*. (*Abrol*, Para. 35-37; Fig. 2; Abstract). Moreover, *Abrol* expressly discloses:

Because no mechanism exists to notify PDSN 140A that MS 103 ventured into the service area of PDSN 140B, PDSN 140A does not renegotiate the PPP session between PDSN 140A and MS 103.

(*Abrol*, Para. 31.) That is, *Abrol* expressly discloses that *the PDSN is incapable* of “deciding whether to negotiate a point-to-point session for the mobile node in response to the determinations.”

Additionally, in the Final Office Action mailed October 3, 2006 (“*Final Office Action*”), the Examiner conceded that:

Madour and *Abrol* do not explicitly teach the PDSN determining whether [the] registration request comprises [a] previous access network identifier identifying a previous packet controller function, whether the mobile node communicated with [a] previous packet controller function serviced by the packet data serving node, and deciding whether [to] negotiate a point-to-point session for [the] mobile node [in] response to the determinations.

(Final Office Action, Page 3, Para. 6.) Consequently, at a minimum, *Abrol* fails to disclose, teach, or suggest the elements specifically recited in independent Claim 1.

For at least these reasons, independent Claim 1 and its dependent claims are allowable. For analogous reasons, independent Claims 8, 9, 15, 16, 23, 26, 32, 33, 39, 40, and 41, and their dependent claims are allowable. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-41.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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